

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

Steven B. Pollack and Blue Eco Legal Council,)	
)	
)	
Plaintiffs,)	Case Number: 08-cv-320
)	Assigned Judge: Guzman
v.)	Magistrate Judge: Brown
)	
United States Department of Justice,)	
United States Coast Guard,)	CWA, RCRA, CERCLA, AND
United States Navy,)	PUBLIC NUISANCE FTCA CASE
United States Marines, and)	
United States Department of Defense,)	
)	
Defendants.)	

**PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF THREE YEARS
OF VIP RECORDS AT THE FBI RANGE IN NORTH CHICAGO**

Plaintiffs ask this Court to once again order Defendants to turn over discovery for three years of visits by VIP's to the FBI's North Chicago range.

On March 26, 2008, Plaintiffs requested 30 years of records for VIP's being allowed to visit and discharge weapons at the FBI's North Chicago range. This Court ordered Defendants to turn over three years of VIP records. Defendants subsequently produced what they consider documents pertaining to these visits. see Exhibits 1 and 2.

These records do not seem to show visits by VIP's and do not go back three years. Plaintiffs need these records to show that the range is being used by amateurs and thereby making ricochets off the berm into Lake Michigan and outright misses more likely. This is relevant to Defendants' contention in their motion to dismiss that the berm catches all bullets fired.

Defendants had previously asserted that there were records for groups requesting visits and signing waivers. These records have not been produced.

If Defendants refuse to hand these documents over then Plaintiffs request this Court consider sanctions as requested by separate motion.

Respectfully submitted,

s/ Steven B. Pollack

Steven B. Pollack, Attorney
Executive Director, Blue Eco Legal Council
3390 Commercial Ave
Northbrook, IL 60062
steve@ecoesq.com
847-436-9566

**CERTIFICATION OF GOOD FAITH EFFORT TO OBTAIN DISCOVERY
WITHOUT INVOLVING THIS COURT**

Plaintiffs sought, and received, an order of this Court for three years of records for VIP use of the North Chicago FBI range. Plaintiffs then tried to obtain these records in subsequent email conversations with Defendants. Plaintiffs need this discovery pertaining to jurisdictional facts to respond to Defendants' motion to dismiss that is due April 30, 2008.

Dated: April 28, 2008

/s/ Steven B. Pollack
Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the date below the foregoing PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF THREE YEARS OF VIP RECORDS AT THE FBI RANGE IN NORTH CHICAGO was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Dated: April 28, 2008

/s/Steven B. Pollack
Counsel for Plaintiffs